

United States Court of Appeals  
Fifth Circuit

**FILED**

**UNITED STATES COURT OF APPEALS** February 26, 2008

**FOR THE FIFTH CIRCUIT**

Charles R. Fulbruge III  
Clerk

No. 03-11137

D.C. Docket No. 3:00-CV-2044

CHARLES E MINES, JR

Petitioner - Appellant

v.

NATHANIEL QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION

Respondent - Appellee

Appeal from the United States District Court for the Northern District of Texas, Dallas.

Before BARKSDALE, GARZA, and DENNIS, Circuit Judges.

**J U D G M E N T**

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is affirmed in part and reversed in part, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

ISSUED AS MANDATE: APR 11 2008

A True Copy  
Attest

APR 11 2008

Clerk, U.S. Court of Appeals, Fifth Circuit

By: Madeline Chissey  
Deputy

New Orleans, Louisiana